

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

OP.No. 7781 of 1999(B)

PETITIONER:

**R.BINDU, D/O. LATE RADHAKRISHNAN NAIR,
SASTHAMANGALAM HOUSE,
MUVATTUPUZHA TALUK,
MUVATTUPUZHA VILLAGE.**

BY ADV. SRI.SREEPRAKASH K.NAIR

RESPONDENTS:

- 1. STATE OF KERALA, REP.BY ITS
CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DISTRICT COLLECTOR, ERNAKULAM.**
- 3. THE DISTRICT REGISTRAR GENERAL,
OFFICE OF THE DISTRICT REGISTRAR
GENERAL, THIRUVANANTHAPURAM.**
- 4. THE SUB REGISTRAR, EDAPPALLY.**

BY GOVERNMENT PLEADER SRI.PUZHAKKARA MUHAMMED

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

OP. NO.7781/1999

ORDER ON CMP. NO.12981/1999 IN OP. NO.7781/1999

DISMISSED

22.11.2007

SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALE DEED EXECUTED BY THE PETITIONER.

**EXT.P2:- COPY OF THE NOTICE DT. 21.3.98 ISSUED BY THE 3RD
RESPONDENT.**

EXT.P3:- COPY OF THE G.O.(P) 132/97 T.D.DT. 18.10.97.

**EXT.P4:- COPY OF THE G.O.(P) 71/98/T.D. PUBLISHED IN THE GAZETTED
DT. 29.4.98.**

/TRUE COPY/

P.A. TO JUDGE

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KURIAN JOSEPH, J.

O.P.NO.7781 OF 1999

Dated 22nd November, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding steps taken for recovery of stamp duty. Learned Government Pleader submits that the petitioner could not be heard in the matter because she did not appear pursuant to the notice. However there is no evidence regarding service of notice. After having heard the learned counsel appearing for the petitioner, I am of the view that it is only in the interests of justice that the second respondent considers the issue after hearing the petitioner also. Accordingly, the impugned final orders are set aside without prejudice to the liberty to the second respondent to pass fresh orders in accordance with law after affording a fresh opportunity for hearing to the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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OP NO.

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KURIAN JOSEPH, J

O.P.NO.7781 OF 1999

J U D G M E N T

Dated 22nd November, 2007.